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ABSTRACT

This paper examines the complexity and ambiguity of policies that purport to promote deregulation and decentralization of education. The paper describes the development of decentralization/deregulation policies in the Netherlands and applies the specific dilemmas faced in the country to the unexpected difficulty in preparing and passing a parliamentary reauthorization or the national organizations that support educational research and development, local innovation, and accountability. This bill highlights the dilemmas facing countries that seek to become more "market responsive" and accountable in education by decentralizing and deregulating activities that have been previously government controlled. The data collected from interviews with key policy informants are used to argue that the alternative meanings ascribed by different actors to the term "decentralization" and "deregulation" can result in parliamentary actions that are viewed as sub-optimal by all parties. (EH)

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DECENTRALIZATION AND DEREGULATION IN THE NETHERLANDS:

The Case of the Educational Support Services System[1]

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INTRODUCTION

Our purpose in this paper is to illuminate the complexity and ambiguity of policies that purport to promote deregulation and decentralization of education. We will do this by describing the development of decentralization/deregulation policies in the Netherlands, and applying the specific dilemmas faced in this relatively small country to the unexpected difficulty is preparing and passing a parliamentary reauthorization of the national organizations that support educational research and development, local innovation and accountability. This bill--on the surface rather obscure--highlights the dilemmas facing countries that seek to become more "market responsive" and accountable in education by decentralizing and deregulating activities that have been previously government controlled. The data collected from interviews with key policy informants are used to argue that the alternative meanings ascribed by different actors to the terms "decentralization" and "deregulation" can result in parliamentary actions that are viewed as sub-optimal by all parties.

A Nation of "Charter Schools"[1]

The educational system Netherlands appears on the surface to be considerably more centralized than federated countries such as Switzerland, the U.S., or Germany (van den Berg and van Wijlik, 1990). There is a large national ministry, and much current discussion of national reforms. Yet the value system, embodied in the constitution and in educational codes, encourages diversity at the building level because of the full funding of private education, and the relatively limited role that the state or region plays in the regulation of private education.[2]

A key element of the Dutch educational system is "freedom of education," which is a constitutionally embedded right.[3] Recently reaffirmed in a note to the State Secretary of Education by the Education Council,[4] this is interpreted to mean that any group of parents who wish to start their own school may do so with government support, provided that there are enough pupils and they meet other standard criteria (personnel qualifications, etc.). In practice, this means that approximately 70 percent of all schools are "private," albeit publicly funded, and report to an independent governing board.

As currently interpreted, the constitution prevents the establishment of a national curriculum.[5] A recent comprehensive description of the Dutch school system, for example, contains only one passing reference to the curriculum (leerplan) in a book of 300 pages, which points out that schools

are obligated to develop their own curriculum (schoolleerplan) (Dodde & Leune, 1995). This largely "private" school system is centrally coordinated in a wide variety of ways, including a long tradition of administrative regulation over the use of public funds, the existence of national agreement over teachers' working conditions, and a mandatory "high stakes" exit examination for all secondary school students (Louis and Versloot, 1996).

In this Dutch case we particularly focus on policies affecting the quasi-private system that serves as the country's primary vehicle for stimulating school improvement. This system is called the Educational Support Services System (*(onderwijs)verzorgingsstructuur)* and consists of a nationwide network of national and regional external support institutes that is considered amongst the most dense in the world (Louis, 1992). The Netherlands, which is about the size of Pennsylvania, has 62 Regional Educational Centers (to support primary schools) and 9 national institutions with specific tasks such as developing tests and exams, developing curricula, supporting adult education, coordinating educational research and also including 3 national pedagogical centers supporting secondary education and the regional service centers. Several thousand professional staff are employed to serve the needs of 8000 primary schools and more than 750 secondary schools.

While individual institutions in the ESS have existed, and have received government subsidies, for several decades, the "system" was defined in legal status in a bill that was implemented on January 1, 1987. The ESS is publicly funded, but its components are private, not-for-profit institutes that carry out educational reform work at the request of both the Ministry, and local schools. For example, the English translation of the Dutch National Curriculum Institute (SLO) makes it appear to be an authoritative government body. The SLO, however, is a private organization (government subsidized) whose mission is to develop "models of curriculum" and also models for how schools might develop their own curriculum: its role is "supportive, not prescriptive" (Kloprogge, Oijen, Riemersma, Tilborg, Walraven & Wind, 1995; Dodde & Leune, 1995). Furthermore, it is not officially permitted to influence schools to use what it has developed directly, but is supposed to work through other private, publicly funded agencies that provide consulting and support to schools. The agencies are permitted to carry out additional activities not directly funded by the government, and several of them have vigorously pursued this entrepreneurial path, while others have not done so at all until recently.

A Brief Overview of the Educational Policy Context

The Educational Support Services System ((*onderwijs)verzorgingstructuur*) is regulated by a separate law (*Wet Onderwijs Verzorging* or WOV) which was due to be reauthorized in August, 1995. Although some changes were anticipated in the law, the WOV got caught up in the larger debates over decentralization and privatization, so that the State Secretary of Education postponed the expiration of the law until August 1996. As of January, 1997, a new law was not yet in effect, leaving the system operating under continuing resolution. We will use the debates over this relatively minor educational policy-- the WOV-- as a means of exploring both the institutionalized nature of the Dutch educational system, and the volatility of educational policy streams.

Three policy streams intersect in discussions about the WOV. First, as in all of the other countries represented in this symposium, the Netherlands is responding to the global conversation about the need to decentralize and deregulate government functioning. An overview of this debate in the Netherlands will be presented below. Second, a separate stream of major reforms have focused on content and pedagogy. The debate over government intrusion into curriculum standards in a quasi-privatized system has been vigorous, but after 12 years of discussion, a reform program for lower secondary education was passed in 1991, and consensus is being reached on a model for upper secondary education. These are major reforms that affect not simply content standards, but also reflect an effort to introduce more constructivist teaching approaches into a rather traditional system. Third, over the past decade Dutch discussions have been deeply influenced by the British and U.S. debates over the need for greater public and national accountability for student achievement results. Traditionally the Dutch have been cautious about national standards, and the only national mandated test has been the school-leaving examination. Even in this case, one-half of the examination was set and graded at the school level, the combined national and local scores were used to determine whether students would graduate with a certificate, and schools' relative pass rates were not published. Currently there is pressure from some parties to initiate more comprehensive criterion-referenced testing, which is intended to be "high stakes" for schools and the system, but not for individual students.

THE CONCEPTUAL FRAMEWORK

In this paper we will use a model that combines the "policy streams" work of Kingdon, with elements of March and Cohen's organizational "garbage can" theory. In addition, we will incorporate the recent work of Mintzberg on management myths and models, as they can be applied to government agencies and their work.

Policy Streams: "Modified Kingdon"

The policy streams perspective represents a "marriage" between older models of policy making, which were linear and highly rational, and the more chaotic view of policy making implied by "garbage can theory." Kingdon's policy streams perspective outlines three disconnected streams (following March and Cohen directly):

- a *problem stream*, which consists of "real" problems that have been identified somewhere in the policy universe;
- a *policy stream*, which consists of possible solutions to the problems, developed by researchers, advocates and/or other specialists (March and Cohen call this a solution stream). In this research we limited this stream to those who have formally designated roles in developing policy solutions.
- a *political stream*, consisting of possible choice opportunities (elections, leadership contest, and "sun setting" of legislation. This is what March and Cohen refer to as "decision opportunities"

What Kingdon does not include, but which we have added, is March and Cohen's *key actors stream*:

- an *actor stream* consists of people and groups who are interested and in a position to become involved in the policy process at the time when a choice opportunity arises. This might include policy advocates who are not part of the regular policy stream, new organizations who are a particular interest in a policy, etc. The actor stream may also be affected by absence -- an individual may be otherwise engaged, and may remove themselves from a decision that under other circumstances they might be interested in. This might include the groups or individuals that have an interest in the outcome of the policy, but which are not part of the formal policy stream, such as interest groups, bureaucracies with responsibilities for implementing the law, or competing bureaucracies. These individuals and agencies form

the dynamic informal influence field.

The important perspective in our model is that policy development is (1) often unpredictable; (2) fluid; (3) and not necessarily rational. It can be extremely helpful in mapping the dynamics of power and influence over time, particularly where there are shifts during the policy development period. They may also account for many issues that are not public (for example, competing bureaucratic interventions, etc.). In the U.S., with its chaotic traditions of policy development in education, the appeal of the policy streams model is unquestionable. Whether it is equally appealing in a European context, where policies are developed over longer periods of time, with strong consensus across political parties and (at least it looks that way from the outside) more stability in the field of individual and organizational actors, it may be less relevant.

Our analysis of decentralization trends in the Netherlands is also influenced by a recent article by Mintzberg (1995) in which he argues that the use of a simple continuum between management/regulation and decentralization/privatization ignores the broader complexity of how public goods are managed. First, he points out a variety of forms of public ownership, like co-operative enterprises and 'ownerless organizations like charities, volunteer groups, activists organizations etc. Second, he contests three management myths:

- The productivity of any public or private activity can be analyzed in isolation from other activities, as well as the role of direct (governmental) authority;
- Evaluating outcomes/achievements according to objective standards is possible
- Self employed professional managers who are accountable for their outcomes can be trusted with activities.

This myths, Mintzberg states, concern a narrow stylized process that has according to research very little to do with activities that effective managers in real life do. In other words when governments think about the benefits of (business) management they are typically usually unrealistic.

Third, he distinguishes four roles that individuals and groups play in the relationship with the national authorities: 1. The role of *consumer* of optional services; (not common, except for the lottery); 2. The role of *client*; consumer of monopolistic government services like health care, education; 3. The role of *civilian*; with rights on public infrastructure (social, economic, technical,

administration); 4. The role of *national citizen*; with duties and facilities (policy, army, ruling institutions, prisons). Education -- although it occupies a sector between private and public in most countries-- is considered in terms of Mintzberg to be a professional civil service wherein consumers have the role of client. So the role of customer is not a very appropriate image in to capture the relationship between the citizen and the educational system. The importance of these distinctions (which are not novel) is that they point to arenas in which "conversations" or policy debates over particular government roles become confused and ambiguous. For example, in recent discussions about education, there is little differentiation between these roles.[6]

Fourth, Mintzberg articulates a number of "mental models" that, like the "frames" posed by Bolman and Deal (1994), or the "images" of how organizations work articulated by Morgan (1986), posit fundamentally different assumptions about how governments operate. These are:

- Government as a machine
- Government as a network
- Government as control of outcomes
- Virtual government
- Normative management

None of these models is "the best." At any moment in western democratic governments, all five are actively subscribed to be one or more significant parties. For example, collecting taxes would not be possible without a healthy degree of confidence in the machine model, nor is the conduct of foreign affairs understandable without the network model. Government is as we can conclude an incredibly eclectic system, as many-sided as life itself. Some models however make things better and some make them worse. Mintzberg argues that client-oriented professional services like education could do well within the more normative model, eventually mixed with the network model.

In this this paper, we will discuss how, in a political environment, these mental models are embedded in a political culture, and translated into specific competing perspectives on proposed policies. Our main thesis is that the different management models are the reason that parties can talk past each other when they believe that they are using the same language -- for example, fulling in the concept of "decentralization and deregulation of education" has different meanings depending

on the political culture of the group of actors. This permits parties to imagine that they have reached consensus, while continuing to disagree. Continued disagreement leads, in turn, both to increased institutionalization and continued separation of policy streams.

RESEARCH METHODS

We began our data collection at the time when the reauthorization bill was being formulated in the Ministry (although we informally tracked the evolution of government policy in this area for several years prior). Our main research questions were:

(1) What was the intended impact of recent efforts to decentralize the existing Dutch system:
   (a) for supporting school reform and improvement;
   (b) for encouraging more autonomous schools?

(2) What impacts do the efforts to decentralize the existing support system structures have on the development of policies in the various agencies that comprise the ESS, as well as related agencies that are also intended to promote school improvement?

(3) How do the intended policy changes for the support system link up with intended and actual policies to revitalize lower and upper secondary education (*basisvorming, vbo/mavo, and tweede fase vernieuwing*)?

Our larger study looks at the intersection between the three policy streams mentioned in the questions (decentralization, increased autonomy for schools, and reform of secondary education). The study draws on interest group theories to examine retrospectively the process that led to the change in the support legislation, and use theories of organizational change and organizational politics to examine the relationship of the support legislation to the secondary support agencies and their "client" schools.

Data Collection and Analysis Procedures

The examination of legislation, the ministry and the "*overleg*"(formal consultation) system at the national level used a political decision making model (based on Allison, 1971; Daft and Becker, 1978; and Wahlstrom and Louis, 1993) that examines:

- actors: decision makers, policy advocates, and gatekeepers;

- agendas:
- alternative solutions:
- definition of "problems"
- opportunities
- rules of the game (Dutch)

The examination of the support system focuses on the development of organizational policies in response to: (1) three streams of policy; (2) the dynamic organizational field of potential collaborators, competitors and providers of resources. The topics will parallel those for the policy-making bodies.

We interviewed a key informant in each of the groups or organizations, and one other informal leader (or a focus group in some cases). Key informants were selected because they are in a position to make final policy decisions. The additional informant was selected because they are known to be informally influential, and not necessarily because they are in a formal decision-making capacity. The 34 key informants represent the following eight groups or organizations: (ex)policy makers, civil servants of the department, (ex)politicians, process managers, directors of national support institutions, members of the inspectorate, members from the national advisory boards and consultation partners. Some of the interviewees have twin roles, because formerly they held a position in one of the other categories. The respondents of the politicians were limited to the four biggest parties: Social Democrats (PvdA), Liberal Conservatives (VVD), (Liberal) Democrats '66 (D'66), (together the current coalition parties) and Christian Democrats (CDA) (major opposition party). Each actor group was represented by a minimum of three individuals in order to guarantee anonymity.

The research uses qualitative strategies, primarily interviews and document analysis. The five subjects which were raised in the interviews were:

- analysis of the proposed legislation and its estimated consequences for the support infrastructure ;
- the role of future support in educational innovation policy (limitations, possibilities);
- the way of anticipating the future by respondent and (his/her) opinion on school's behavior in a situation of increased autonomy;

- expected financial effects (cut back, dismissals, changes in tax status, distortion of competition);
- judging expected political ideas (party programs, hidden agendas)

Interviews were guided to reflect the various streams of the modified Kingdon policy streams model outlined above. Approximately half of all the interviews were collected by the first two authors of this paper in order to facilitate data analysis; the remainder were collected in individual interview settings. Interviews were conducted in either Dutch or English, depending on the preference of the interviewee.[7] All interviews were transcribed in the language of the interview.

During each interview we asked about documents that might be worth examining. In addition to white papers, old conference proceedings, earlier (unpublished and alternative) proposals for the SLOA bill, we were directed to a variety of in-house memos and analyses, as well as published academic research from educational policy scholars.

Emphasis is on developing case specific data; that is the unit of analysis will be the particular organization or interest group to which the individual respondent belongs. Analysis focuses on the patterns of organizational interests and strategies that result in policy legislation and patterns of policy implementation. A computerized program for analyzing qualitative interview data will be used as part of later phases of the study. Our current analysis is based on a matrix representing the five subjects along the X- axis and the eight actor groups along the Y-axis, with narrative information from all sources as entries in the cells (see Louis & Voogt, 1996, p12). Before moving to the results of the interviews, however, we will use the documentary analysis to set a background for the Parliamentary discussions about the ESS.

THE DECENTRALIZATION DEBATE IN THE NETHERLANDS[8]

The main factor which led people in the Netherlands to rethink the relationship between government and society was the economic crisis at the beginning of the 1980s. Three large-scale operations were set in motion at this time, which affected all areas of government including education: deregulation, decentralization and a move toward increased market activity in previously public monopolies. The deregulation process started around 1985 and began to have an effect from the beginning of the 1990s; decentralization only started at the beginning of the 1990s and its effects

began to be seen in 1997; privatization is, in some regards, still in an early development phase, but in others is well established.

Deregulation

Deregulation and extension of school autonomy have dominated educational policy discussions for over a decade. The beginning of this process can be pinned down quite clearly to March 1985, when a draft policy document containing proposals to reform the management of higher education was sent to various advisory bodies by the Christian Democrat/Liberal Conservative coalition government (Ministerie van Onderwijs en Wetenschappen, 1985). The subtitle of this document was "A new way to manage" and it has determined thinking and action on education policy in the Netherlands as few other policy documents have done. It is still being used and is referred to by the acronym 'HOAK', which stands for 'Hoger onderwijs: autonomie en kwaliteit (Higher education: autonomy and quality) . The HOAK document stimulated additional white papers, the most important of which was "The school enroute to the year 2000" (Miniterie van Onderwijs en Wetenschappen, 1988), which was directed at primary and secondary education. These policy documents have given rise to a considerable number of changes in education, some of which can be traced back quite easily, while others have only gradually become clear.

Although the initial ideas about deregulation were initially influenced by parallel discussion of economic policies, they connected almost seamlessly with the official educational platforms of all of the major political parties. Self-rule, autonomy for the school, the school to be accountable to the parents and local community and so on, all belong to the body of ideas which welcome deregulation of national structures, although in practice, education policy has often failed to take these ideas seriously. In contrast, in spite of widely publicized criticism of bureaucratic regulation (*Commissie vermindering en vereenvoudiging van overheidsregelingen*, or Committee for the Reduction and Simplification of Government Regulations, 1984) the outcome of 80 years of rule-making were mostly quite manageable, according to educational practitioners. Only those who were poorly represented in the policy consultation process raised serious concerns about the quality and operation of the educational system.[9]

The policy document "Fewer rules, more scope" (*minder regels, meer ruimte;* MOW, 1988) expressed the new principle in cautious, and to a certain extent negative, terms: 'The basic principle

must be that where we want to have government control, this must be exercised in an appropriate manner and we must try not to limit the schools' own responsibilities and scope for policy-making beyond what is strictly necessary' (pp. 7/8). The HOAK policy document from the same year, defined the objective without hesitation as follows: 'The aim is to get to a situation where, by interacting directly with subsystems in society, educational institutions will be able to respond to signals as they determine their own policies. In short, the goal is to bring about a system of higher education which is as self-managing as possible'. (p.11)

Deregulation and extension of autonomy promised real reduction and simplification of regulations and a more liberal framework for administrative activities. However, in education the promise was coupled with demands for more accountability. The Minister of Education in the late 1980s, Wim Deetman, termed his government's policy as promoting "steering at a distance,"(*sturing op afstand)* by increasing administrative and internal flexibility, while requiring more open reporting of student achievement results.

However, there are many areas of school functioning that can theoretically be deregulated or decentralized. Analyses of school-based management in the U.S., for example, frequently distinguish between increased autonomy in budget, personnel policies and curriculum. An analysis of the various Dutch policies aiming to increase autonomy produces a mixed picture (Hooge, 1995;Teelken, 1995; Boerman, 1995). In actuality, the effects of policy programmes are seldom confined to a single area of autonomy and, taken as a whole, they have had effects which serve to reduce autonomy as well as to increase it. This is partly due to the fact that, along with explicit deregulation policies (such as the introduction of block grant funding and the transfer of the inservice training budget to the schools) other policies with other objectives are being implemented at the same time and these have interfering side-effects. What has become clear is that regulation of the educational process has decreased, while regulation in the area of the educational product (school and system accountability for student results) has increased.

(De)centralization: More Responsibility for Municipalities?

The classic view of local government is that it is, on the one hand, independent and, on the other hand, the body which executes a number of specific tasks designated by central government or initiates and executes certain tasks within a designated constitutional/statutory framework.

Another interpretation assumes a high degree of mutual dependence that leads to negotiation, persuasion, pressure, mobilization of support and so on. Rather than a one-sided downward allocation of responsibility, attention is on a relationship of negotiation within an administrative system with upward movements as well as downward ones.

At the local level, the administrative entities in the Netherlands are municipalities. The duties of municipalities are often divided up into assigned duties and independent duties. Duties carried out in joint authority are duties which the municipality is obliged to carry out by order of a higher administrative body, which may come via an Act, Order in Council or provincial bye-law. The (appointed) municipal executive *(burgemeester)* has the primary responsibility, within frameworks laid down by the (elected) municipal council (*wethouders)*. Autonomous duties are tasks which the municipality carries out on its own initiative, for which the municipal council has the primary responsibility.

Funneling national resources down to lower levels has become more important in recent years in areas such as education, police, public housing, health care, economic services and welfare. A great deal of the new money is destined for education, employment and the integration of recent immigrants. In the education field, municipalities implement projects such as: improving education in Dutch and mathematics, involving parents in education, better links between education and work, reducing absenteeism, training (continuing education and retraining) and courses in Dutch for newcomers to the country a few weeks after they arrive. The national government still has a great deal of influence in all these areas, but more substance has also been given to professional implementation and the municipality can also put its own policies into practice with assistance from central government.

Traditionally local authorities have had two roles in education, one geared to maintaining the infrastructure, and the other to ensuring minimum participation. Both these areas of responsibility have been gradually enlarged and broadened. Changes in the national government's role in education obviously affect the role of local government as well as the status and role of private bodies, such as the boards of state-funded private schools (whose infrastructure needs are provided through the municipal governmen)t. However, the way in which municipalities exercise their educational role is changing as they become more dependent upon various social and cultural services over which

they have varying (and ambiguous) control. This means that the municipalities are increasingly taking on the roles of director, intermediary and process coordinator.

Centralization and decentralization are concepts which indicate that certain functions are being moved to or from municipal authorities or national government respectively. These concepts are less appropriate for the many circumstances in which the assignment of duties, and especially the interpretation of duties, is a two-way process. A research study into the policies pursued by 10 municipalities in three fields (educational support services, adult education and compensatory preferential treatment programmes) points to the ambiguities in the Dutch context (Karsten et al. 1988). This seems to be phased, an initial phase where powers are unclear seems to be followed by a clarification phase. The dilemma facing the municipalities is that clarification often turns out to be to their financial and political disadvantage. In some instances, efforts by municipalities to craft their own programs and policies were curtailed later by central government education policy; in others national policies were developed, and handed off for implementation (and interpretation) within municipal policy, but with increasingly limited parameters for independent action. It seems as if there may be a kind of profit and loss account operating across the policy domains (see Weiler, 1993).

Decentralization policies are complicated by the absence of an exclusive relationship between municipality and central government in different policy domains. There are often other local and regional administrative bodies operating alongside the municipalities as independent administrative bodies, private-law local/regional services subsidized by the state (educational support services), collaborative groups whether or not on a private-law or public-law basis, and so on. These coordinated administrative forms also constrain the decentralization process and its effects.

Privatization

Unlike deregulation and decentralization, *quasi*-privatization of education is a long-standing policy programme in the Netherlands. There are countries where privatization of education has been afforded an equivalent political status to deregulation and decentralization, but in the Netherlands the obligation of the state to fund private schools has been in effect for more than 60 years, which has spawned a variety of quasi-private but recognized actors in the educational policy arena. For example, until recently the Minister of Education met regularly with representatives of the different

"educational pillars"--Catholic, Protestant, Fundamentalist, Independent Private and "Public" (municipally governed) when formulating new policy options.

In countries where the private sector has been less integral to the system, the official line is that privatization can contribute to a new economic-political infrastructure (by for example reducing the burden on government spending and reducing the power of the trade unions), can increase support for education in society and improve the performance of the education system, discussions that make little sense in the Dutch context. At the least, the Dutch system points to the need to distinguish between privatization of funding and privatization of implementation. Privatization of implementation accompanied by public funding is a familiar model in the Netherlands in the form of the state-funded private schools. Privatized implementation accompanied by private funding exists in the form of private fee-paying schools, but important elements of public funding are also involved here in the form of tax credits to participants or companies. This form of privatization is not, however, common in the primary and secondary systems.

The dormant privatization debate raises its head when, for example, the core business of the Ministry of Education, Culture and Science, namely compulsory education, comes up for discussion. Does this mean that non-compulsory education can be turned over to "free markets," and if so, in what sense, and with what combination of privatization of funding and privatization of implementation? What form of privatization would this take: payment of fees, contracting out of educational programmes or private educational institutions? What combination would be appropriate and just? What is lacking is a thorough consideration of the aims of privatization and what types of privatization could be useful in education. These issues come to the fore in discussions about the Educational Support Services.

DECENTRALIZING SCHOOL SERVICES

In this section we will first present an analysis by the four streams identified in our policy model above, and will then apply the different images articulated by Mintzberg to the same data. In our conclusion, we will begin to integrate the two theoretical perspectives.

The Political Stream: A Choice Opportunity

This system had its own legislation since 1987 that was due to expire in 1995: The Act on

Educational Support (in Dutch *Wet Onderwijs Verzorging* or *WOV)*. We will not discuss here why this system was legislated in a temporary Act, but concentrate on the reasons why policy makers thought it highly necessary the WOV should be replaced by other legislation in 1995.

Problem stream: Intersection of the WOV Legislation and other Policy Streams

Based on interviews with 34 individuals, we have identified the problems policy makers had with the old law (WOV), and have located them within a broader 'problem stream'. Kingdon's policy streams model also argues that reasons for policies on decentralization are highly unpredictable. As was stated before, deregulation and extension of autonomy are radical policy programmes which have been dominating education for over 10 years in the Dutch situation. On the other hand decentralization is popular among Social Democrats and since Minister and State secretary for education both are Social Democrats since elections from 1990 and 1994, it is obvious that decentralization increased in policy making. Conversations pointing to the advantages of "a market driven system" began to enter the conversations about the WOV beginning in the early 90s (WRR, 1991), and accelerated after the election of a coalition government that excluded the Christian Democrats (and which is dominated by the Socialists and the Liberal Conservatives).

Among the 'problems' policy makers cited with the existing law - given the former trends - were:

- The law is based on subsidizing particular (quasi-private) institutions (about 70); the budget for those institutions cannot be spent on other (private or public) advisory agencies; it constrains the ministry's policy implementation strategies; and it promotes a public monopoly position for the institutions (privatization/market stream);
- It prescribes specific tasks for each kind of institution and does not permit other tasks; there is a rigid task division between the different types of institutions, which inhibits the ability of the institutions to support national policy (deregulation stream, curriculum reform stream);
- It prescribes geographic service areas for the regional institutions and they are supposed not to serve another region, or sector, thus constraining schools' choice (market and deregulation streams);
- Programming innovation policy from the Ministry in negotiation with the institutions has become very cumbersome, that is, rarely completed on schedule and subject to extensive

renegotiation until the end of the year in which it should have been implemented (curriculum reform stream, decentralization stream);

- The institutions had became too autonomous, which has made them non-responsive both to schools and the Ministry (market stream).

In short policy makers thought this law too rigid and bureaucratic, and not applicable to a more flexible and market driven way of governing and administrating.[10]

(Initial) Policy Stream for the Reauthorization of the ESS

As a consequence of increasing concerns about the existing state of the ESS, a new educational support bill was introduced by the Minister to Parliament. Here we come to the next stream in our model: the policy stream consisting of possible solutions to problems. This bill on "Subsidizing National Educational Support Activities"(in Dutch *SLOA*) has the following features:

- There will no longer be a policy on institutional support but a policy on subsidizing activities; every institution is free to submit proposals or offers;
- Schools will get more financial autonomy through a block grant financing system to buy whatever support they wish; the system moves from an "offer driven" to a "demand driven" system;
- The system will be downsized; some institutions will be merged (support for vocational education) or abolished (National Institute for Educational Research).
- There will be - of course - a transition period in order to solve any unanticipated problems of changing systems.

However the principles of the bill appeared not to be politically or practically tenable for the 62 Regional Education Centers, which had historic ties to municipalities. Primary schools - particularly the smaller ones - would get too little money on any capitation system to buy support, and municipalities, which had responsibilities for some aspects of educational policy, felt excluded. Soon after the policy principles were released policy makers in the Ministry differentiated between primary and secondary education, decentralizing the budget for primary school educational support to the municipalities. A new proposal was introduced governing Support for Primary Schools, (*regeling schoolbegeleiding)* and attached as an amendment to the Primary Education Act. Under

the act, municipalities are obligated to finance the Regional Centers. However, the level of financial support is "held harmless" for only four years, leaving the Regional Centers with the prospect of negotiating with up to 23 municipalities for their later funding. Thus, the old WOV law will be replaced by a two systems legislation: the proposed amendment on primary school support and the SLOA bill to regulate support activities at the national level. In fact policy on supporting primary education can be characterized as decentralization, while policy on supporting secondary education can be characterized as deregulation.

At this point it is relevant to elaborate slightly on the different functions of and ways of subsidizing the national institutions under the old legislation. Although all *national institutions* are fully funded by the ministry, their *programming* differs. The institutions were programmed according a distributive code: Programming implementation policy for the Ministry of Education, Culture and Science covered 40% of the budget; Another 40% of the budget was allowed for field responsive programming to be determined by institutional consumers (agencies, unions, councils, administrations); The remaining 20% of the total budget is base funding for the institutions in order to develop and professionalize: the so called "think tank functions."

Under the proposed new law, programming has been left open, but in the explanatory memorandum is stated that government intends to change the distributive code, along with changing the allocation of budget: One third of the total national support budget is to be given to the schools (market driven); one third of the total budget is reserved for innovation policy programming by the Ministry, and one third is allocated for the think tank function. The think tank function will be protected only during the transition period. Similarly, the budget for Ministerial policy programming will be open for bid by any advisory or management consultant agency to submit proposals after the transition period. One institute -- the National Institute of Testing -- is treated as an exception to the policy to convert from a "offer driven system" to a "demand driven system," and will retain its "quasi-public" monopoly status.

Applying Mental Models of Decentralization and Deregulation

Below we present a summary of the findings from each of the actor groups, by topic.

The SLOA bill. All actor groups involved support the idea of making the law more flexible, and giving more autonomy to schools. Except for the representatives of the Ministry - who are, not

surprisingly, in favor of the bill - all actor groups think the SLOA is going too far and/or should be completely rejected. The reasons, however, are varied.. An interest in a "solid support structure " was expressed by innovation process managers, inspectorate, support institutions themselves, advisory councils and consultation partners. The remaining (ex)policy makers (former ministers, state secretaries) and (ex)politicians have their own (political reason) for rejecting:

- Socialists -- The bill goes too far toward a "market model." The PvdA party is in favor of decentralization; but against losing the infrastructure (here the State Secretary's party disagrees with her proposed policy);
- Liberal Conservatives -- The bill does not go far enough. The VVD is in favor of privatizing and introducing market competition at the school and Ministry level; however, the primary educational sector should not be decentralized but deregulated: more market autonomy should be given to primary schools;
- Liberals -- The bill is unnecessarily complex and diminishes the coordinated character of educational support. D'66 is in favor of deregulation and making the infrastructures more flexible; they are also in favor of a single legal framework for the whole Educational Support System; and believe that two kinds of legislation on the support structure is inconsistent;
- Christian Democrats (opposition party) -- The entire government proposal is flawed. The CDA is in favor of deregulation; against two bills; in favor of preserving the infrastructure with modest modifications.
- Organizations in the Educational School Support system -- Some parts of the bill (greater flexibility) are sound; others are flawed. The institutional actors, with the exception of smaller (local agencies), and some teacher training institutions (which currently have a monopoly on some parts of the professional development structure, but are not formally included under the current ESS bill) appear confident that they can prosper under a "free market" for services. Most have actively begun planning to position themselves, either by being the most proximate/responsive, or by developing niches. There is considerable evidence of networking among the institutions to create interdependencies that will take advantage of existing strengths. Most of the larger agencies have already responded to the four years of ambiguous messages about privatisation by developing a set of activities that

bring in financial support separate from their governmentsubsidy in contractual work with schools.

Supporting Innovation Policy. Again, except the representatives of the Ministry, all repondents fear the loss of the government's primary vehicle for promoting policy implementation instrument as a result of making the infra-structure more diffuse. Particularly for the quasi-private schools, the support system functioned as a source of "gentle pressure" to conform with planned innovations in curriculum and pedagogy. The new law provides no alternative way of promoting coherence in the increasingly deregulated and quasi-private sector. Under conditions of decentralization and deregulation, there is a greater need for an national support structure than previously.

The official ministerial argument is that education officers will have sufficient power to regulate the innovation implementation through financial incentives and other resource allocations. They expect more flexibility since they will be able to "shop" elsewhere than the established institutions, and they don't expect increased bureaucracy nor difficulties in handling the procedures.

Anticipating the Future. All actor groups favor increased market driven strategies related to the negotiation of school-specific services. They however hesitatant about or reject the market principle in the context of nationally initiated educational policiesy, because government initiated innovations tend to be unpopular with schools, at least in the early phases. In order to maintain good relationships with clients (schools), market-driven institutions will necessarily give a softer sell to governmental education priorities. All actor groups anticipate that a deregulated educational support system will be destabilized, and subsequently will be reorganized by the establishment of collaborative relationships among larger providers. The expected consequences include driving smaller providers "out of business", increasing self-interested behavior among the support system organizations, such as the development of commercial divisions / new markets unrelated to schools, and personnel dismissals and the use of more "temporary employees," and or political lobbying to solidify market status.

Financial Effects. The financial effect are worked out by an advisory agency in an unpublished report. The most obvious consequence is that schools will legally be required to pay 17.5% V.A.T. for delivered services and since they get no more budget one might conclude that

support costs increase for 17.5%. ("Autonomy costs 17.5% of the budget"). Since there is no guaranteed budget institutions will have to dismiss peoplec -- certainly those who are not able to pay their own way. If institutions dismiss them in anticipation of the new legislation, the government will be obligated to pay their unemployment salary, which in the Netherlands it is obligated to do indefinitely. The support institutions expect a market-based reduction of staff of 60%.

Political Realities. At the overall level politicians agreed that the SLOA is not a sound bill, while the new regulation of primary school support (which has already passed through Parliament) is of lesser concern. At the same time the politicians think that the legislative process, now in debate for several years, has progressed too far to reverse it. So the bill will be passed, but it will depend on amendments for "repair" to its most damaging features. Since the parties are not in agreement, this is likely to be contention.

In spite of the difficult discussions over this "little bill" most respondents do not see any real hidden agendas at work. All parties know that the Christian Democrats -- out of power for the first time in 30 years -- will be back in government and so, in general, they don't want to take the risk of making uneeded enemies.

Summary

The progress of the reauthorization of the Educational Support System in the Netherlands comes close to being a perfect political example of the Abilene Paradox. In the broadest outline, all actor groups, except the upper levels of the Ministry, agree on not being in favor of the proposed policy. There appears to be a strong consensus amongst all actor groups, and across all political parties that the effort to radially decentralize and/or deregulate the Educational Support System is unwise, particularly given the parallel interest in promoting significant reforms in both lower and upper secondary education. There is also a consensus, albeit ambiguous, on the dichotomy of management/regulation, on the one hand, and privatization/deregulation, on the other. The actor groups are in favor of privatization insofar as it permits schools to increasing their freedom to choose among providers of assistance (including private providers); however, it is in favor of continued centralization (managing) of national educational innovation policies.

DISCUSSION: EXTENDING THE THEORETICAL FRAMEWORK

In this section we will consider the modified policy streams model, and the work of Mintzberg, as they relate to our legislative case in the Dutch context.

Mintzberg's Mental Models the Policy Streams

Examining the mental models there is to be distinguished a certain (political) culture (underlying priciples) within each of them that matches the cultures of the represented actor groups. We elaborate this for those actor groups that are involved in policy making and political decision making: being the chief education officers at the ministry related to the State Secretary and the four bigger political parties PvdA, VVD, D'66 (the coalition partners) and CDA (opposition).

The *machine model* represents the culture of regulation and control, which is typical the dominant culture within the ministry and civil service. In the last two decades (under the past two Christian Democrat-dominated coalition governments), this groups suffered loss of direct power over schools and the extended influence of the formal consultation partners, such as those representing the educational sectors (Catholic, Protestant, etc.). The Educational Support Services organizations, especially the national pedagogical centers, had strong connections with those consultation partners. Under current coalition, there is a tendency in the ministry to regain influence. By controlling financial subsidies over central innovation policy, while arguing for decentralization (leave it up to municipalities) and deregulation (leave it up to the free market) their direct competition in influencing educational policy --the consultationn partners and the institutions comprising the Educational Suppport Services--will inevitably loose influence.

Related to this culture or even further consequencies has the *outcomes model*. The rational culture of this 'Big Management Model' of input - processing - and controlling/measuring outcomes matches the way of thinking within the Inspectorate. In this model decentralization is popular but within a clear, vertical division structure, so that finally central 'headquarters' are in control. Vertical assigned autonomy stems from an essentially vertically integrated system, in which the schools' powers are granted to them by the highest level in the system usually. Horizontal autonomy is based on schools having access to and control over resources (Smith, 1971, pp246ff) or, the degree to which organisations are able to take decisions without being obliged to involve others. This is a different kind of decision-making capacity from that which is derived from others in a vertically integrated hierarchy. The model advocated by the Inspectorate, like that of the Ministry, advocates

regulation. More recently, however, there is a recognition that regulation has not led to a more equitable system, and that several decades of participation in centrist government coalitions (virtually inevitable in Dutch politics) have not resulted in significant changes in the basic elements of the system.

"Every good principle can lead toward the Devil" is a Dutch expression. The ultimate consequence of the existing pillarized structure, with separate advocacy groups for different sectors, is that every group is particularly attentive to its interests. The Liberal Conservatives (VVD) want to use the market mechanisms, business principles -- to substantially reduce government subsidies to established groups, to increase size of schools through market mechanisms, etc. VVD policies have been more influential than their numbers in the coalitions.'everyone for him/herself'. If so, it drives toward the minimization of government: Mintzberg's *virtual model*. Within the support system, even the strongest advocates of market principles are concerned about "every institution for itself" as an operating principle. While the existing system permist entrepreneurial activity, it also constrains it through government subsidies. No one knows what the consequences would be of providing support for school innovation only through market mechanisms, since there are no other developed countries that have adopted similar policies.

The *network model* stands in even clearer contrast to the machine model: loose instead of tight; free instead of under control and interactive instead of segmented. D'66, democrats with a more liberal than socialistic culture, cultivating a youthful image wherein horizontal relationships are suggested, fits in this network model. D'66 is the only political party that explicit devotes itself to espousing more local control, through elected mayors (they are currently appointed) and in favor of national and regional referenda. As for the support structure they want more flexibility in the system by giving schools more autonomy, reducing the number of support institutions to one at the national level and rather one new law on the whole structure instead of two.

The fifth model of *normative management* is typically applicable to the Christian Democrats (CDA). It means a limited role for the government in regulating the content of education, based on their interpretation of Article 23 of the constitution. They emphasize that there is a need to control education through consultation (*overleg*) with the umbrella organizations, to create consensus that is not imposed. Semi-autonomous schools, (they 'invented' the concept), opposition to content

standards, and demands for equal status for all types of schools underlined their original position. In relationship to the support structure they want to keep the structure at the national level - it reflects their support for continued differentiation in purpose and functioning between the religious and private schools, and they call it a basic facility belonging to the educational infrastructure. But for the part of the schools they support the idea of autonomy and block grant financing including a budget for support. So, the institutions at the national level should become, in their view, hybrid organizations: market driven and subsidized.

The Policy Stream Revisited: Invented Solutions

The Dutch are famous for working towards consensus through the well accepted process of "overleg" (locked-in-a-room consultation), in which no meeting is a success if all parties do not leave being at least partially satisfied with the decision outcomes ("It could be worse...") (van der Horst, 1996). But, it may be obvious that in a such a complex political context this process takes 'a little while.' The old law (WOV) originally expired in 1995; it has been extended two times until 1998.[11] The law has still not passed the First Chamber. (The Senate).

Politicians in the Second Chamber sought their way to either reduce the market mechanism and/or to save the disruption of the coalition over a relatively minor bill. The coalition partners handed in several amendments of which the most important were:

- *Primary Education*
  - * regional agencies not only provided with the regular support expertise, but in the future with information communication technology expertise too. They made this a motion in the second term;
- *Secondary Education (SLOA)*
  - * the position of the SLO (National Institute for Curriculum Development) was made consistent with with CITO (National Testing Institute);with a subsidy guarantee for at least 75% of current funding;
  - * A subsidy guarantee for the think tank funtion of national centers by Royal Decision for 1/3 of the total budget;
  - * an extension of the transitional period for one year; (till 2002);
  - * The possibility of extending subsidies of more than one year to carry out support of

national innovation policies;

* A motion supporting government stimulation of coherence in the educational infra structure.

Their leading principle turned out to be *finding a balance* between regulation and market mechanism.[12]

The opposition of the Christian Democrats handed in amendments on:

- *Primary Education*
  * maintaining and liberalizing regulation on national religion bound agencies;
  * regulating the proportion of funding for local policy support activities versus regular support activities (national innovation policy) ;
  * maintaining the (already eliminated) special inspectorate on support institutions;
  * eliminating the 'automatic' integration of the earmarked subsidy for regional support institutions with the regular block grant funding for municipalities in 2002;
- *Secondary Education*
  * authorizing subsidies of one year *'or more'* to promote educational innovation;
  * less detailed accountability for the national centers on their activities when submitting their annual plans;
  * postponing implementation of the SLO for one year (1/1/1999)
  * lengthening transition period by two years (till 2004);
  * guaranteeing subsidy of the think tank function of national centers on a cost-reimbursement bases.

The State Secretary for Education accepted:

- *Primary Education*
  * a slightly better arrangement for the national religion bound agencies;
  * changing the 'automatic' integration of the earmarked subsidy for support with the regular block grant for municipalities in 2002;
  * support of technology expertise expertise within regional centers;
- *Secondary Education*
  * postponing the implementation of SLOA for one year (1/1/1999); but on the other

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hand *shortening* the transition period with one year; so that 2001 is maintained;

The Lower Chamber majority added the following:

* providing the National Institute for Curriculum Development (SLO) with a guaranteed subsidy;
* supporting the think tank function for the national centers beyond the transition years.

Implications: Kingdon, Mintzberg and the Abilene Paradox

All parties in our analysis, including the support institutions themselves, were in favor of more flexibility of the support system and therefore of the expiration of the old rigid law (WOV). Too many regulations make all parties in favor of deregulation too. On the surface, there was a a rather solid consensus among the four biggest parties, which form an overwhelming majority of the Lower Chamber. However at second glance there is little consensus about the goals of deregulation. These differences in imagery and mental models of government and management help to account for the fact that the principles of decentralization and deregulation of the Educational Support System could be discussed, without any real agreement on the meaning of the terms, until the weaknesses of a specific bill, initiated by the State Secretary of Education, became apparent. Clearly this persisting illusion of consensus is more likely to happen with a "little bill" than a major piece of legislation, since the attention given to it within party discussion is less. However, the absence of clear definitions about the meaning and purposes of deregulation and decentralization are revealed through this example.

Through our interviews, we were able to explicate the meaning of deregulation and decentralization for the four big political parties. The Social Democrats (PvdA) do not really want deregulation. They use the term in public conversations, but in fact it concerns decentralization: giving control to municipalities or regions or provinces. The Regional Educational Support system for primary education, maintenance of school buildings, total policy on disadvantage groups, minorities, etc. are all to be given to local control. Only one of their educational platform policies involves deregulation: the block grant financing of secondary schools, where they also advocate more control over curriculum content. However, they have been lukewarm in advocating a similar policy for primary schools, raising questions about testing and increased standards, quality control,

etc.

Deregulation to the liberal conservatives (VVD) means privatizing institutions. Free market mechanisms are their 'holy cow.' Quality in education, in their view, will result in the long run through 'healthy competition.' Block grant financing of all schools is consequently logic in their opinion. Sponsoring and contract education: it's all in the game and should not be bounded like it is now. If the VVD were a U.S. party, they would support vouchers and public support for profit making schools.

The 'new' democrats (D'66) usually take position between PvdA (left) and VVD (right). On educational policy they tend to go along with VVD, but are somewhat more cautious. They advocate: autonomy (deregulation and block grant funding)for schools, and modest privatization of the Educational Support System through allocation of funds to schools, but maintenance of a national infrastructure through some guaranteed institutional support for a single (merged) national support institute.

The Christian Democrats (CDA) are in favor of deregulation, but not decentralization. Rather, they seek increased control for the private school boards (70 percent of which do not report to any government agency) so that they can maintain the existing national influence of the Protestant and Catholic coordinating boards ("umbrella organizations" in Dutch) in the government policy consultation process. So, when they say they are in favor of block grant financing of all schools, it means in fact that money is controlled by the existing private authorities, and not municipalities. The same goes for school autonomy: they do not seek autonomy for individual schools, but for the right of the different coordinating bodies to formulate content directions and standards for their school sector.

In spite of these unresolved contradictions in perspectives about deregulation and decentralization, a compromise was reached. According to all parties and institutions involved a new (and largely satisfactory) balance was achieved. The national centers will maintain their hybrid character as responsive to schools and national in focus by subsidizing the think tank function. At the same time an important instrument for implementing innovation policy is preserved--at least symbolically. Increasing flexibility is to be realized too by market mechanisms on the side of the (secondary) schools (this is the deregulation part of the system) and competition at the national level

(for grants to support the implementation of national policies). Decentralization has also occurred. The State Secretary refused to regulate the local level's jurisdiction between what is to be spent on local or national priorities. On the other hand she built in control on the total support budget by extending the duration of an earmarked subsidy within the municipalities' budget.

Perhaps the only key actor group that is unhappy with these compromises is the senior staff of the Ministry and the Inspectorate. There may be some (mainly the developers of the bill) who are disappointed by their inability to reduce the potential influence of the national centers and the representatives of the quasi-private educational sectors as policy actors. Others are or will be highly frustrated when they are compelled to execute the regulations on allocating grants to the institutions, since every grant above $150,000 must, by regulation of the European Union, be submitted for competition within the broader European market as well as within the Netherlands. Finally, of course, an unusual arrangement had to be made with the Finance Ministry in order to collect the mandatory 17.5 percent taxation applied to purchased services, while returning it to the support institution budgets. That is living with market principles!

ENDNOTES

1. For more discussion of the choice system in the Netherlands, and its implications, see Louis and van Velzen, 1992.

2. This does not mean, of course, that Dutch schools are wildly different from one another, but most estimates indicate that at least 15 percent of the schools have identified themselves with an alternative curriculum or pedagogical theory. In most countries, far fewer schools would have a distinctive and articulated pedagogical base.

3.This constitutional provision was initiated to guarantee the rights of religious minorities, such as Catholics and smaller Protestant groups, to have education that supported their beliefs. Although most "private" schools are still religiously based, only the more fundamentalist schools require that students who enroll share their religious affiliation (Volkskrant, 1996). In practice, many families today enroll their children in a school that is convenient or that is perceived to be a "good school.". Approximately fifteen percent of all schools are also "private" but non-religious; i.e. Montessori, Waldorf, etc.

4. The Education Council provides the government with interpretations of the relevant article of the constitution in relation to various proposed laws and regulations. In theory, their interpretations or parliamentary action could significantly change the meaning of the

constitutional article. In practice, however, both changes in parliamentary coalitions and the Education Council composition have resulted only in evolutionary changes over the last quarter century.

5. For a classic discussion of the limits on the government's role in school policy, see Leune, 1981. There is a brief list of "core goals" (kerndoelen) for primary and secondary education that was developed as part of a Commission for the Reform of the School Examinations (Commissie Herziening Eindtermen, 1990), The "core goals" cover all subject for all grades, including all tracks of secondary school, in a document that is 68 pages long and in a pocket-book size format. The "core goals" for mathematics in secondary school, for example, are listed on three pages. In our view, this does not constitute a national curriculum, and it is not called a national curriculum.

6. A significant exception is the parliamentary debates in France over the extension of government funding to private education, which focused on all of these roles. See Fowler, (1994).

7. The second author understands Dutch, but does not speak it very well. She spoke English when respondents spoke Dutch. This did not seem to be disruptive to the flow of the interviews.

8. Parts of this section have been adapted from van Wieringen, 1996.

9. The big debates in the Netherlands were not over regulation, but between those who supported the quasi-privatized system which is largely stratified by religious affiliation (primarily the Christian Democrats), and those who opposed it (primarily the Socialists).

10. It is important to note that an outside observer (the second author) familiar with the system would have identified a somewhat different set of "problems" -- for example, the weak association between universities and the Educational Services Support System, the lack of incentives for collaboration among the institutions in the system, and the inflexibility of carrying civil service status for employees. None of these problems would have suggested the "solutions" that were internally proposed.

11. The original proposal for this research (to the Fulbright Foundation in the summer of 1995) was to conduct a study of the implementation of the WOV reauthorization, which in its first rounds looked as it would involve some block grant allocation of funding to schools to purchase services from any provider.

12. This research provided support for that proposal. A Dutch version (Louis and Voogt, 1996) was referenced four times in Parliamentary debates, twice by the VVD, and twice by the CDA.

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